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10 Attorneys for Defendant  
11 NETWORK SOLUTIONS, LLC

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

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1           Defendant Network Solutions LLC's ("Network Solutions") Motion To Dismiss  
 2 Pursuant to Federal Rule of Civil Procedure 12(b)(3), or in the Alternative to Transfer  
 3 Pursuant to 28 U.S.C. § 1406(a), For Improper Venue, came on regularly for hearing in  
 4 room 2 of this Court on January 25, 2008 at 9:00 a.m. before the Honorable Jeffrey S.  
 5 White. Network Solutions was represented by the law firm of Pillsbury Winthrop Shaw  
 6 Pittman LLP and plaintiff Doe ("Plaintiff") was represented by the law firm of Gutride  
 7 Safier Reese LLP.

8           After full consideration of the pleadings, records and files herein, including oral  
 9 argument by both parties, and the authorities submitted by counsel, the Court finds that the  
 10 forum selection clause in Network Solutions' Service Agreement that Plaintiff repeatedly,  
 11 affirmatively and voluntarily agreed to is enforceable. This is because the forum selection  
 12 clause is reasonable and just and no exception exists to overcome the strong presumption  
 13 that the clause is valid. M/S Bremen v. Zapata Off-Shore Co., 407 U.S. 1, 15, 18 (1972);  
 14 Manetti-Farrow, Inc. v. Gucci America, Inc., 858 F.2d 509, 512, 515 (9th Cir. 1988).  
 15 Pursuant to the forum selection clause the only proper venue for this action is Virginia.

16           Based on these findings, the Court GRANTS:

17           \_\_\_\_ the Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(3)  
 18                         for improper venue; or  
 19           \_\_\_\_ the Motion to Transfer pursuant to 28 U.S.C. § 1406(a) for improper venue  
 20                         and transfers this action to United States District Court for the Eastern  
 21                         District of Virginia, Alexandria Division.

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23           Dated: \_\_\_\_\_

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Jeffrey S. White  
 Judge of the United States District Court

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